

Apr 16, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

VANESSA R.¹

No. 4:18-CV-5145-EFS

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

**ORDER GRANTING STIPULATED
MOTION FOR REMAND**

**JUDGMENT: REVERSED AND
REMANDED**

Before the Court, without oral argument, is the parties' Stipulated Motion for Remand, ECF No. 18. The parties ask the Court to remand this case for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).² Additionally, the parties expressly agree that the Administrative Judge shall:

- Reevaluate Plaintiff's symptoms in accordance with Social Security Ruling (SSR) 16-3p;

¹ To protect the privacy of social-security plaintiffs, the Court refers to them by first name and last initial. See LCivR 5.2(c).

² That section states, in relevant part: "The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing." 42 U.S.C. § 405(g).

- Reevaluate the opinion evidence in accordance with 20 C.F.R. § 416.927;
- Reassess Plaintiff's residual functional capacity in accordance with SSR 96-8p; and
- Obtain vocational expert evidence and determine whether the vocational expert evidence is consistent with the Dictionary of Occupational Titles (DOT) pursuant to SSR 00-4p.

Having considered the parties' request and the record as a whole, the Court grants the Motion and remands this case for further administrative proceedings. Upon proper presentation, the Court will consider a motion by Plaintiff for attorney fees under the Equal Access to Justice Act.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 18**, is **GRANTED**.
2. Pursuant to 42 U.S.C. § 405(g), this case is **REVERSED** and **REMANDED** to the Social Security Administration for further proceedings consistent with this Order and the parties' stipulation.
3. All pending motions are **DENIED AS MOOT**.
4. All hearings and other deadlines are **STRICKEN**.
5. **JUDGMENT** is to be entered in Plaintiff's favor.
6. The case shall be **CLOSED**.

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IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this 16th day of April 2019.

s/Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge